

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY-AMERICAN)	
WATER COMPANY FOR A CERTIFICATE OF)	
CONVENIENCE AND NECESSITY AUTHORIZING)	CASE NO.
THE CONSTRUCTION OF RICHMOND ROAD)	2014-00258
STATION FILTER BUILDING IMPROVEMENTS)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On September 17, 2014, Kentucky-American Water Company (“KAWC”) moved pursuant to 807 KAR 5:001, Section 13, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its petition, KAWC states that the information it is requesting to be held confidential is contained in its responses to Commission Staff’s First Request for Information (“Staff’s First Request”), Items 12, 13, 15, and 17. The information is more particularly described as proposals for design of the filter building; selection of building design contractor; process used in selecting a general contractor; and itemized construction cost estimates. Movant states that this sensitive information, if disclosed, could result in a competitive disadvantage to KAWC as set out in KRS 61.878(1)(c)(1).

Having carefully considered the petition requesting confidential treatment and the materials at issue, the Commission finds that:

1. The materials contained in KAWC’s response to Staff’s First Request, Items 12, 13, 15, and 17, meet the criteria for confidential protection as set forth in KRS

61.878(1)(c)(1) and should not be placed in the public record for a period of three years from the date of this Order, or until further Orders of this Commission.

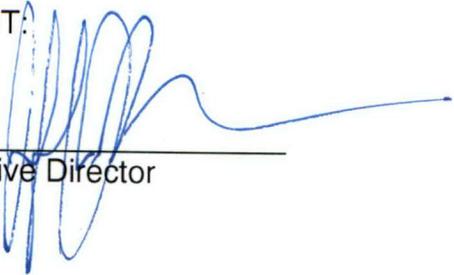
IT IS THEREFORE ORDERED that:

1. Movant's Petition for Confidential Protection is hereby granted.
2. The materials contained in KAWC's response to Staff's First Request, Items 12, 13, 15, and 17, are hereby granted confidential protection and will not be placed in the public record or made available for public inspection for a period of three years from the date of this Order, or upon further Orders of this Commission.
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Movant shall inform the Commission if the materials granted confidential protection become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, Movant shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movant is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
6. The Commission shall not make the materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow KAWC to seek a remedy afforded by law.

By the Commission

ENTERED 
APR 22 2015
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

*Monica Braun
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Honorable Lindsey W Ingram, III
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Kentucky-American Water Company aka
2300 Richmond Road
Lexington, KY 40502